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**TO: EXAMINER** C. Brown  
**EXAMINER'S FAX NUMBER** (703) 872-9311  
**ART UNIT** 1765  
**SERIAL NO.** 09/437,006

**FROM: Peter S. Zawilski**

**REGISTRATION NUMBER: 43,305**

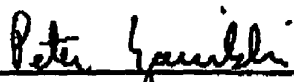
**PHILIPS ELECTRONICS NORTH AMERICA CORPORATION  
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**I certify that this document consisting of 2 pages (including this cover sheet) is being transmitted via facsimile to the United States Patent and Trademark Office at the telephone number set forth above on 9/9/2002.**

**Items attached:**

**Notice of Appeal**

  
\_\_\_\_\_  
Fax Operator

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zheng et al. Examiner: Brown, C.  
Serial No.: 09/437,006 Group Art Unit: 1765  
Filed: November 9, 1999 Docket No.: PHA 51219  
(Prior Docket No.): (VLSI.268PA)

Title: ETCH PROCESS THAT RESISTS NOTCHING AT  
ELECTRODE BOTTOM

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being sent via facsimile to 703-872-9311 attention Examiner Charlotte A. Brown on August 7, 2002.

By: \_\_\_\_\_

NOTICE OF APPEAL UNDER 37 C.F.R. §1.191

Assistant Commissioner for Patents  
BOX AF  
Washington, D.C. 20231

Dear Sir:

This is a Notice of Appeal for the above-referenced application with Petition for Extension of Time.

Please charge Philips Deposit Account No. 14-1270 (PHA 51219) the amount \$320.00 for the fee required by Rule 1.17(b).

The claims presented for appeal are claims 1-21.

The undersigned is of record and with authority to prosecute the appeal on behalf of the Assignee.

Respectfully submitted,

*Please direct all correspondence to:*

Corporate Patent Counsel  
Philips Electronics North America Corporation  
580 White Plains Road  
Tarrytown, NY 10591

By: Peter Zawilski  
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